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THE BRITISH EMPIRE
AND
A LEAGUE OF PEACE

BY
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THE BRITISH EMPIRE

A LECTURE ON THE

BRITISH EMPIRE

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THE BRITISH EMPIRE AND A LEAGUE OF PEACE

BY GEORGE BURTON ADAMS

Almost certainly at the close of the war a serious attempt will be made to render its results permanent by establishing some kind of an international arrangement for the security of peace. What kind has been as yet but little discussed. The obvious difficulty of finding the best form for such an alliance and the uncertainty of result from any form not carefully studied, justify immediate discussion of possibilities and objections.

There are at present before the world only two possibilities for this purpose. One is the League to Enforce Peace. I do not mean necessarily that particular plan but I use the name as typical of all plans based upon treaties or definite agreements defining the objects and methods of the league and marking out the scope of its action. The other, created not by a series of defining clauses but by common ideals and purposes, is an alliance of all the English-speaking nations and of such other like-minded nations as might be willing to join them. I do not propose in this article to advocate one of these plans as opposed to the other. There is no real opposition between them. Both could exist together and very likely will. I will merely point out one advantage of the latter plan. There can be no doubt but that a league based upon common ideas of policy, and common standards of international right and wrong will possess far higher flexibility and freedom of judgment and action. Definitive treaties however free must restrict by the very fact that they create and define. I wish rather here to show that an alliance of ideals and common standards is now almost in existence and that very little needs still to be done to give it effective form.

All the English-speaking nations except one belong now and have always belonged to a single political organization, the British Empire. The United States is not a member of this organization. But its area and population, its developed resources and capitalized wealth, make it very necessary to the league. On its side it is just beginning to awaken to the close similarity in ideals and standards of international conduct which exists between it and the other members of the group. The general recognition of this similarity, which cannot be long delayed, is the essential and necessary foundation of a common policy. Such an alliance must be largely tacit and informal, made very likely by a common understanding rather than by a treaty. It must grow out of natural conditions and not be artificially made. Therefore there must be among all its members a very widespread agreement upon the ultimate controlling motives of action and a common conviction as to the objects to be sought, and these agreements and convictions must be so well known by all that they are securely trusted. If this knowledge and confidence

cannot be obtained, we must fall back upon a league artificially made by treaties as the best we can do, for without them no bond of action which has its roots in living forces is possible.

The means of reaching this understanding I am also going to omit. I do so in confidence that the course of events will bring it about without the necessity of argument. If the war lasts as long as now seems likely, millions of our young men and women are going to be brought into close contact with our allies, especially with those who speak English. We are going to stand with them in places which try the metal of which men are made and under conditions which strip off all disguise and reveal unmistakably character and motive. We are going to learn to know one another in a few months as would not be possible in a generation of the slow times of peace. If also the war ends with the victory we believe is coming, the conferences that will be necessary to formulate a just settlement will reveal the international standards and purposes of nations, the national mind and will, beyond the possibility of mistake. And nobody among us who reads and thinks at all is going to escape the conclusions which will be formed. Whoever has studied the growth of opinion in the English-speaking world during the last twenty-five years may leave this difficulty of bringing about the necessary understanding of one another to the work of time with perfect confidence as to the final result.

Another difficulty—to find the proper form of organization—is far more serious. I have said that all the English-speaking nations except the United States are now members of a common political organization, but it is not an organization of the right kind. It is still in political form an Empire. That is, in the field we are concerned with, the field of international relations, one of the nations makes decisions and determines policy, and the others have no recognized way of influencing the determination which they assist in carrying out. So long as this fact continues, one of these nations rules in this field to the exclusion of the others, and so long the organization is imperial, even if the sovereign is a parliament and not a man. There is beginning a fashion of speaking of the British Commonwealth of Nations instead of the British Empire, but the new name denotes in international relations an aspiration for the future rather than something at present really true. So long as each nation is not allowed its proportionate share in making decisions, nothing exists which can be truly called a Commonwealth of Nations, nothing which is in any proper sense a federation.

Plainly in this field a reorganization is demanded, but the problem of forming a workable union in foreign affairs for the British Commonwealth of Nations is in all essentials the problem of forming a workable league of peace for all English-speaking nations. If there is ever discovered a workable form for one of these groups, it will be a workable form for the other, for the problem is fundamentally the same in each

case. So far as this problem concerns the British Empire men have worked upon it consciously, with many differing proposals and much discussion, for half a century. Indeed it is a hundred and fifty years since the first suggestion for its solution was made, though with somewhat less consciousness of the exact problem to be solved. But the plans proposed have been exclusively along a single line. The task at which men have labored has been to find some means for the representation of the outlying Dominions in a central parliament of the Empire, either in the existing parliament of the British Isles or in an imperial parliament. Even the latest proposal of an imperial organization, the most carefully elaborated that has ever been presented and based upon a very wide collection of opinions, insists upon the necessity of an imperial parliament.

It is not strange that a central parliament should seem to British students of the problem indispensable. The essential feature of the British system, the control of the executive by the legislature through a cabinet of responsible ministers, is so successful in practice and so thoroughly democratic, allowing the quickest action of public opinion upon the central government of any political machinery yet devised, that it may well seem that no British government can exist without it. And yet there can be no doubt but that such a conclusion overlooks three important facts. First, that the alliance to be formed is a commonwealth of nations, not a commonwealth of provinces. Second, that within a commonwealth of nations internal legislation, making laws which are binding upon all the members alike, is not merely out of place but dangerous. Third, the proposal overlooks the experience of the United States.

1. To call the alliance to be formed even within the British Empire a commonwealth of nations is not a misnomer. The five Dominions usually counted, Canada, Australia, New Zealand, South Africa, and Newfoundland, are practically now independent nations so far as the legislation of any imperial parliament is concerned. In saying this I am not overlooking the continued survival of the signs and forms of an earlier legislative dependence which was more real. Enabling acts are still sometimes necessary; colonial acts may still be disallowed; the British parliament may still legislate in regard to some matters of intercolonial trade; appeals still lie under certain conditions from colonial decisions to the Judicial Committee of the Privy Council in London. But it is a commonplace of knowledge throughout the Empire that all the survivals of that earlier dependence which still exist are formal and technical rather than real. So true is this that a student of imperial affairs has declared that the Dominions have been granted every item of self-government upon which they have insisted including the regulation of immigration and of commercial relations, and that if anything has not yet been granted them it is because they have not insisted upon it.

Everyone knows that an attempt by the British Parliament to impose legislation upon these Dominions without their consent is an impossibility, and that if legislation upon an imperial, intercolonial question should again be necessary, it would be adopted with as full consideration of colonial opinion as if adopted by the colonies themselves. As a matter of fact all signs of the past generation indicate that such agreements upon intercolonial questions as may be necessary in the future will be reached by the methods in use among independent nations, negotiation and conference, rather than by legislation from above. The first step towards a proper British federation is a clear recognition of this fact with all that it logically involves, and the necessary first step towards forming a proper alliance of the English-speaking nations for peace is also a full recognition of the fact that it is to be formed, not between two independent nations, England and the United States, to which are attached certain dependences, but between seven nations who stand on the same footing in relation to their international interests and who are to be equal partners in due proportion in all that is done.

2. If it be once admitted that the members of an alliance, whether a British Imperial Union or an English-speaking alliance for peace, are independent nations, it follows that internal legislation is not a natural consequence. It could undoubtedly be made possible by the terms of the union, but it would have to be artificially provided for by positive enactment. The natural method of settling internal questions would still be negotiation and conference, rendered no doubt especially easy by the existence of the alliance, but not changed in character. A heavy burden of proof rests on those who would create an imperial parliament for real legislation where none now exists. And that is not the way of safety. The greatest danger in any federal union is the temptation to impose legislation upon a local unit for which it is not ready, or to which it is strongly opposed. Within the British Empire the temptation is already at hand in the widely divergent views among the different units on the subject of intercolonial migration, and the danger of uniform legislation on the matter is unmistakable. The best result, the least dangerous to the union as a whole, which could follow such legislation, where feeling is strongly engaged, would be like that which has followed the violation of the principle of federal government in the Fifteenth Amendment to the Constitution of the United States, local nullification. Experience shows that even such subjects as internal commerce, involving the vexed question of protective tariffs, and naturalization are best left to local legislation. Why then create the risk? The natural and safe method is local independence and negotiation under the influence of common imperial public opinion, and the general principle which should be clearly recognized is that the primary and most essential object of a British federation or of an English-speaking alliance is not internal regulation but external unity.

3. The belief that an imperial parliament is necessary overlooks the experience of the United States. Avowedly one of the chief reasons, if not the chief, for considering an imperial parliament necessary is to secure the responsibility of the executive in the British way. Responsibility secured in some way is a necessity. No constitution, no alliance or federation, no common understanding even, which disregards the matter can hope to obtain the sanction of democratic nations. But it does not follow that the British method of the responsible ministry is the only method of enforcing executive responsibility, or that any mechanical method need be provided.

The British method of cabinet responsibility goes back to a time when the legislative assembly was still the best means of gathering and focusing public opinion. It is founded wholly on the theory that through the representatives elected by the people the will of the nation can best be declared and brought to bear upon the executive. In the eighteenth century when the responsible ministry was invented, this was still undoubtedly the case. It is probable also that the American Congress has departed farther from this ideal of representative government than any other legislative assembly, but it merely stands in an advanced position on the road which all are following. In this fact consists a part of the value of American experience as a guide. It would be I think difficult to find any student of public affairs in this country who believes that the public opinion of the United States is best ascertained through Congress, or that in the matter of general policy it is in ordinary cases brought to bear upon the executive by means by Congress. Such a student would be more likely to maintain that the opposite of this is true, and that in many cases during the last twenty years the executive has brought the majority opinion of the country to bear upon Congress. In reality while the president undoubtedly makes use of the knowledge of individual members of congress, he has other and better means of finding out the judgment of the nation, means unknown to the eighteenth century and increased almost miraculously in the nineteenth. On the morning after President Wilson's speech of February 3, 1917, on submarine warfare, the New York Times laid before its readers an impressive collection of opinion upon it from all parts of the country, of fifty-nine newspapers, including seventeen German-language papers, of sixteen governors of states and of two state legislatures, and of many men of prominence, including a number of leading German-Americans.

In England itself in extremely important matters the public opinion of the nation has been ascertained and faithfully acted upon with no formal parliamentary action. This has even been done in the making and unmaking of cabinets. Twice since the war began the cabinet has been reconstructed, once involving the fall of the Prime Minister, with no preliminary declaration or mandate of parliament whatever. But, notwithstanding the comment of certain extreme radicals, it would be

absurd to maintain that the present ministry of Mr. Lloyd George did not take office because of a public demand, or that it could maintain itself for a moment if it lost public confidence, whether parliament registered the change or not. As a distinguished English publicist said at the time: "In the present instance the House has not been defied, but it has not been consulted. Mr. Lloyd George draws his strength from outside the walls of parliament; he owes his elevation to a kind of informal and irregular, but unmistakably emphatic plebiscite. The House of Commons did not make him premier; it is doubtful whether it could unmake him." The truth is that parliament is no longer a channel through which the nation communicates with the government or declares what the government could not otherwise know, nor an organ for the formation of a national judgment. Parliament has no longer any peculiar access to the springs of opinion, but itself finds out what the national judgment is just as the executive does, or the editor of a great newspaper, or his subscriber in a remote hamlet.

When this has been said however the entire subject of executive responsibility has not been considered. It is still necessary that the public should be confident that the executive will not carry out a policy opposed to its will. Here again the experience of the United States is enlightening, for it shows how a living democracy operates in just this matter as supplementing and modifying the written law. The President is supposed to appoint his cabinet to suit himself with no formal responsibility for his selections, and no doubt presidents have shown considerable personal idiosyncrasy in their appointments and considerable power of resistance to popular demand for changes in their cabinets. There have been so many cases, however, within comparatively recent memory, from Alger to Bryan, of members of the cabinet actually forced out of office by the pressure of public opinion, whatever may have been the pretext upon which they resigned, that it is not going too far to say that the drift has been decided during the last generation towards reducing to a form the undoubted legal independence of the President in this matter. As to the President himself we have only to imagine an extreme case in which the will of the nation should unmistakably declare itself against a policy desired by him to be convinced that he would be obliged to abandon it. I do not mean by this the opposition of the political party opposed to the President's own, however loudly expressed, for this, so long as it is this only, he has the right to disregard, nor do I mean that the President is cut off from an attempt to educate the nation up to a policy which at the moment he is not trying to press, but I do mean to say that we have practically reached a point in our constitutional development where the President would never insist upon carrying through a policy against which the convinced will of the nation clearly declared. And every American will understand at once that the President would know what that will is and act upon it without the necessity of any congressional action.

And it is this, the convinced will of the nation, that, we must regard as the unit of authority in any international alliance, whatever form that alliance may take. This is something behind which no form of international government can go. This is as true of an alliance with an elaborate and written constitution, which attempts to vest in a central body a power of coercion, as of a mere understanding between nations which rests upon common ideals of conduct and policy and is managed by conference. The living forces of growth in a democratic world will make over any written constitution to suit themselves, as the constitution of the United States has been made over in so many ways without formal amendment.

And what could be the practical operation of any plan with minutely worked out constitution? What could be the force by which it would do its work and which would enable it to maintain any power with which it might be invested? Before we can make any secure advance to a solution of the problem of a workable international union, it must be recognized that the binding force of any alliance cannot be the right of coercion bestowed by legislation or by treaty upon a central body, but the common moral force, the moral unity of ideal and purpose, which must underlie any form which ingenuity can devise. A nation, a member of an imperial or a world alliance, cannot be coerced except by the force of opinion. Coercion by physical force would be the beginning of suicide. The nation which will not agree to the common judgment of other nations, which will not join in common action, by its refusal declares its independence and throws itself out of the world alliance. In other words it declares that it does not share in the common ideals and standards of conduct on which alone such an alliance can be securely based and therefore that it is not rightfully a member of it. It is because present experience gives rise to the hope that such common ideals and standards are shared by many nations that we may believe that a real alliance for future peace is possible. If they are not so shared, then again we must fall back upon the artificial methods of treaties and law codes as the best that we can do until they do arise. In that case, if an international league should create an executive in official and permanent form, some corresponding official form of removal might be necessary. For this purpose probably an adaptation of the recall would be the most practicable, as in Art. V. of the Articles of Confederation of the United States adopted in 1778.

But it is to be hoped that the dangers of this method may be avoided. The inveterate slowness of the mind to get out of the ruts which time has made is shown in the fact that nine-tenths of the discussion of an international alliance for peace is full of elaborate schemes of treaties and constitutions, of vested powers in parliaments and courts and cabinets. These are all survivals of a time out of which the war has swiftly brought us. They fail to recognize the fact that all things have been

made new, and that we are now gathering in a day the harvest of a century since the democratic movement began. How plain is the fact, if we will but see it, that the great international alliance which now exists, which is managing the common affairs of nations on a scale never before thought possible, exists by virtue of no creative treaties or elaborate agreements, and that it is making the machinery of its operation as it goes on with its task.

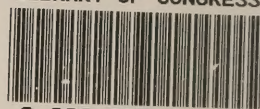
It is the stress of war no doubt which is creating new machinery, because the war has brought about conditions and demands which are new. But this new machinery is not for war alone, and it is equally true that it is a new age upon which the whole world will enter at the close of the war. What we are called upon now to see is how naturally and completely it is that the new machinery we are evolving meets the demands of the new world after the war. The problem of a union in a common international policy is already, as I have said, almost solved. To all intents and purposes such a union exists today with the necessary machinery. Only the slightest adjustment is necessary, mainly in the way of reaching an understanding, not in inventing forms. The largest reshaping of existing conditions, whatever be the outcome, seems to be demanded of the British Empire.

The new machinery marks the way of the future and it also solves the problem of responsibility. It indicates clearly that the scheme for a cabinet of five members, with definitely assigned portfolios of foreign affairs, finances, army, navy and colonies, which the most recent and carefully made proposal for the federation of the British Empire, calls for, is not necessary, even for effective responsibility. Such a plan goes with the idea of internal government in elaborate detail. It is based upon the theory that such internal government must be provided for. If it be true that the main purpose of federation is unity of external policy, not internal regulation, it follows that such a cabinet is as unnecessary and out of place as an imperial parliament. The astonishing development of the council method for the management of all sorts of interests, and of international conference on a scale never before attempted, the gradual evolution of the war council of all the allies with universal public approval and a disposition to put under its control affairs of world wide import, show what should take the place of a cabinet, and events have proved that the responsibility of the council is real and immediate. It is exactly the responsibility of the American executive. Mr. Lloyd George certainly learned, as a consequence of his famous Paris speech, that membership in a council conference was not free from responsibility of a very effective kind, and it will not be forgotten that earlier still the conference proposal of an international trade boycott of Germany after the war disappeared from view because of general disapproval.

I have in this paper considered these two possible results of the war, British Imperial union, and an agreement in policy of all English-speaking nations, as if they were really the same in essence, and they are so indeed, at least if a natural and not a merely artificial outcome is to be obtained. The practical problems presented by these three possible results depend for solution one upon another in the order stated. If the British Empire, as it exists at present, could advance to a practical, not a merely sentimental, recognition of the fact that it is a Commonwealth of Nations and could bring itself to act in international relations in view of the fact, the problem of federation, of such federation as is necessary, would be almost instantly solved. It would be seen at once that the proper method of operation is not legislation but conference and that an elaborate machinery of parliament and cabinet need not be provided, but that the far simpler allied council would serve every purpose. The transformation of the British Empire actually into a commonwealth of nations would also render at once the problem of America's joining with it in a common international policy far easier of solution. To join in some arrangement however simple for a common policy with the British Empire as that has been historically known to us will seem to many a doubtful and difficult thing to do. To join with six independent English-speaking nations, standing upon a common footing of interest and influence, which are all alike peers of ours, would be a different matter. If such a common understanding of English-speaking nations among themselves is seen to be imminent and certain as a result of the war, it can hardly be doubted but that other democratic nations, whose likeness of mind with us in the great problems of the recent past has already been demonstrated, will be attracted into the circle of this agreement and the union become a world league of peace.

New Haven, Conn.,
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